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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named  
Inventor : Max Donath et al.

Appln. No.: 10/626,953

Filed : July 25, 2003

For : MOBILITY ASSIST DEVICE

Docket No.: U11.12-0158

Group Art Unit: 2673

Examiner:

**PETITION UNDER 37 C.F.R. §1.182**

I HEREBY CERTIFY THAT THIS PAPER IS BEING  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

DAY OF \_\_\_\_\_, 2004.

**PATENT ATTORNEY**

This Petition is in response to the Notice of Omitted Item(s) in a Nonprovisional Application mailed on January 23, 2004, which identified FIGS. 3D and 3E as being omitted yet described in the specification. A copy of the Notice is attached. Application has enclosed FIGS. 3D and 3E for addition to the above-identified application that was originally filed July 25, 2003. Applicant requests that the omitted items be accepted and that the filing date of the above-identified application be designated February 9, 2004.

Applicant has enclosed a copy of a Declaration by the inventors. Applicant submits that the Declaration is in compliance with 37 C.F.R. §§1.63 and 1.64. In particular, the Declaration complies with 37 C.F.R. §1.63(d), since the above-identified application is a continuation of pending U.S. Patent Application No. 09/618,613, filed July 18, 2000.

Also enclosed is a Petition Fee of \$130.00 in accordance with 37 C.F.R. §1.17(h). Applicant submits that no additional fee is required since the filing fee that was in effect on the original filing date accorded the above-identified

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application matches that which would be required on even date herewith.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

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BDK/djb